



DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 5, 2018

SEE ATTACHED DISTRIBUTION LIST

Re: Order in the matter of Application for Permit No. 63-34403

Dear Interested Parties:

The accompanying order issued by the Department is an Order Granting Petition to Intervene.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

 Rachel Neely for:

Nick Miller
Western Regional Manager

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-34403)
IN THE NAME OF CAT CREEK)
ENERGY, LLC)
_____)

**ORDER GRANTING
PETITION TO INTERVENE**

On October 29, 2018, the City of Meridian submitted to the Idaho Department of Water Resources (Department) a Petition to Intervene (Petition) as authorized in Rule of Procedure IDAPA 37.01.01.01350 (Rule 350) in the matter of Application for Permit No. 63-34403.

Rules of Procedure IDAPA 37.01.353 (Rule 353) states that if a timely filed petition to intervene shows a direct and substantial interest in any part of the subject matter of a proceeding and does not unduly broaden the issues, the presiding officer will grant intervention, subject to reasonable conditions, unless the intervenor's interest is adequately represented by existing parties. If it appears that the intervenor does not have direct or substantial interest in the proceeding, the presiding officer may dismiss the intervenor from the proceeding.

Cat Creek Energy LLC (Applicant) or others did not file a motion opposing the Petition as provided in Rule of Procedure IDAPA 37.01.01.453 (Rule 354).

Rule of Procedure IDAPA 37.01.01.352 (Rule 352) states that petitions to intervene must be filed at least fourteen (14) days prior to the date of any formal hearing or prehearing conference.

No dates for a formal hearing or prehearing conference have been set, so the Petition was filed timely.

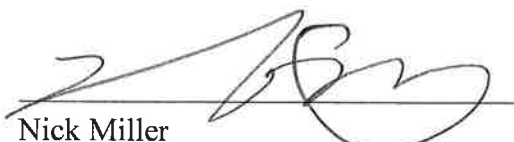
The City of Meridian has demonstrated a direct and substantial interest in the above captioned matter, the Department should conditionally grant the petition.

ORDER

IT IS THEREFORE HEREBY ORDERED that the petition by the City of Meridian requesting intervention in the above captioned matter is GRANTED conditioned as follows:

1. The City of Meridian shall not broaden the issues to be heard at the hearing.
2. The City of Meridian's intervention and participation shall not be a basis for any delay or extension of time in the proceeding

Dated this 5th day of November, 2018.


Nick Miller
Manager, IDWR Western Region

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November, 2018, true and correct copies of the foregoing **ORDER GRANTING PETITION TO INTERVENE** were served by placing a copy of the same with postage prepaid, and properly addressed to the following:

RE: 63-34403

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EUREKA WATER CO
FARMERS CO-OPERATIVE DITCH CO
MIDDLETON MILL DITCH CO
MIDDLETON IRRIGATION ASSOCIATION INC
NAMPA & MERIDIAN IRRIGATION DISTRICT
NEW DRY CREEK DITCH CO
PIONEER DITCH CO
PIONEER IRRIGATION DISTRICT
SETTLERS IRRIGATION DISTRICT
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